

## **AFTER ACTION AGENDA**

### **REGULAR CITY COMMISSION MEETING MONDAY, NOVEMBER 4, 2013 6:30 P.M.**

**DELTONA COMMISSION CHAMBERS  
2345 PROVIDENCE BLVD.  
DELTONA, FLORIDA**

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## **AGENDA**

1. **CALL TO ORDER**
2. **ROLL CALL - CITY CLERK**
3. **INVOCATION AND PLEDGE TO THE FLAG:**
  - A. **Invocation Presented by Commissioner Barnaby.**
4. **APPROVAL OF MINUTES & AGENDA:**
  - A. **Approval of Minutes - Regular City Commission Meeting of October 21, 2013.**

The Commission voted unanimously to approve the minutes of the Regular City Commission Meeting of October 21, 2013.
  - B. **Additions or Deletions to Agenda.**

Acting City Manager requested to pull Agenda Item 8-D and the Commission concurred.
5. **PRESENTATIONS/AWARDS/REPORTS:**
  - A. **Presentation – Super Star Student of the Month Certificates for October, 2013.**
  - B. **Presentation - Quarterly Reports of City Advisory Boards/Committees.**
6. **PUBLIC FORUM – Citizen comments for any items.  
(4 minute maximum length)**

**CONSENT** All items marked with an \* will be considered by one motion unless removed  
**AGENDA:** from the Consent Agenda by a member of the City Commission. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

**7. CONSENT AGENDA:**

- \*A. Request for approval to piggyback Clay County Contract #08/09-3 to resurface the splash pad at Wes Crile Park.

*The current Splash Pad surface at Wes Crile Park is cracked and the joints are expanding requiring a need to resurface. It is necessary to install a non-porous aqua flex surface (2,100 square feet), which is composed of one or two sizes of aliphatic polyurethane pebbles (spheres) that are chemically bonded together with a compatible two part aliphatic polyurethane binder specifically formulated to create the bond. The two-part binder provides more control of the curing process as well as a bond strength. This matrix is installed at an average thickness of 3/8" and is UV light stable, chlorine resistant and durable. This installation will enhance safety and reduce risk exposure. The Aqua Flex system meets the ASTM 1028 standard for slip resistance and is endorsed by the Occupational Health and Safety Act. Clay County has a contract with Rep Services Inc., who can provide this service for \$31,363.53.*

Approved by Consent Agenda – to approve Piggybacking Clay County contract #08/09-3 with Rep Services Inc., to install a new Splash Pad surface at Wes Crile Park at a total cost of \$31,363.53.

- \*B. Request for approval to piggyback U.S. Communities/County of Los Angeles contract with Graybar Electric for electrical supplies.

*The County of Los Angeles, California, in cooperation with U.S. Communities, was the lead agency in a cooperative bid for Electrical Supplies and Accessories. The bid was awarded to Graybar Electric Company. U.S. Communities is a nationwide purchasing cooperative designed to be a procurement resource for local and state government agencies. As a registered participant of the program, the City of Deltona has access to all of their contracts. The Deltona Water Department would like to piggyback the contract between the County of Los Angeles and Graybar Electric to take advantage of the buying power through the pricing available on this nationwide contract.*

Approved by Consent Agenda – to approve piggybacking the County of Los Angeles contract # MA-IS-1340234-4 with Graybar Electric Company for as

needed electrical supplies for an initial period through September 30, 2014 and renewing annually if funding is appropriated for each renewal period in accordance with the County of Los Angeles contract.

- \*C. Request for approval to piggyback the Florida Sheriff's Association Bid #13-21-0904 for the purchase of six trucks.**

*This is a request to piggyback the Florida Sheriff's Association Bid #13-21-0904 for the purchase of six trucks. These are replacement vehicles that were approved in the FY 13/14 budget as the current vehicles being used meet the City of Deltona Vehicle Replacement Guidelines.*

*The dealerships as listed on the contract for the vehicles that the City is purchasing are as follows:*

*Don Reid Ford: F150*

*Duval Ford: F250's*

Approved by Consent Agenda – to approve piggybacking the Florida Sheriff's Association Bid #13-21-0904 for the purchase of six trucks from the dealerships as listed in the bid at a total cost of \$150,662.

- \*D. Request for approval to piggyback the Orange City agreement with Exum for the purchase of fuel.**

*Fuel is exempt from bidding in accordance with City's Procurement Policies and Procedures but Exum Energy has a contract with Orange City. They are a local company and it would be beneficial to the City to have a pricing agreement in place. Orange City has renewed their agreement through September 30, 2014.*

*Fuel is currently purchased for the tank at Station 65 and now that the tank is installed at Public Works, fuel will need to be purchased for that tank for Public Works and Parks vehicles and equipment. Exum Energy also supplies fuel for several generators and water plants throughout the City. The tank at Station 65 is now being used by the Fire Department and Enforcement Services. Instead of using their Fuelman cards, this fiscal year Public Works, Parks, Fire Department and Enforcement Services vehicles and equipment will be using these tanks and Exum Energy will continue to supply fuel for generators and equipment throughout the City.*

*It is unclear at this time what the annual dollar amount will be with Exum Energy since the the tank at Public Works is new but it is estimated to be around \$180,000.*

*Last fiscal year purchases from Exum Energy exceeded \$25,000 threshold where*

*Commission approval is required because of how much use there was at the Station 65 tank as opposed to using the Fuelman cards.*

Approved by Consent Agenda – to approve ratification for purchases from Exum Energy in fiscal year 2013-2014 for the purchase of fuel and approval to use Exum Energy piggybacking the Orange City agreement for an amount not to exceed budgeted funding for fuel purchases.

## **8. ORDINANCES AND PUBLIC HEARINGS:**

### **A. Public Hearing - Live Oak Phase II Final Plat Application (FP 13-001) to create Lots 73, 74, and 75.**

*Live Oak Estates Phase I was approved in May 2006 to construct a 72 lot residential community on ±33.1 acres. Since 2006, the site has been under construction and homes are built. The ownership and developer has also changed within that time frame and the current developer is D.R. Horton.*

*D.R. Horton has made application for the Live Oak Estates Phase II Final Plat to add three (3) residential lots (Lots 73, 74, and 75) on ±0.70 acres within the subdivision. The lots are similar in dimension to lots within the overall Live Oak Estates (Phase I) subdivision. The ±0.70 acres is approximately 300-feet north of Doyle Road along the east side of Fallbrooke Avenue, which is the entry road into the overall subdivision.*

*Finally, the applicant will provide an updated title opinion prior to signatures on the Final Plat and to be verified by the City Attorney. Upon acceptance, the Final Plat will then be processed for recording at the Volusia County Clerk of the Courts.*

After discussion, the Commission voted unanimously to approve the Live Oak Estates Phase II Final Plat (FP 13-001) to create Lots 73, 74, and 75 within the Live Oak Estates subdivision.

### **B. Public Hearing - Ordinance No. 15-2013, amendment to the Deltona Landings BPUD (RZ 13-006), at first reading.**

*The City received an application from Goodwill Industries of Central Florida (Goodwill) to amend the Deltona Landings Business Planned Unit Development (BPUD) Development Agreement to allow an Attended Donation Center as a permitted principal use. The Deltona Landings complex was developed in 1997. In 2003, the City approved a site plan for the outparcel located at the northwest corner of the plaza; known as Lot 2. A bank was constructed on Lot 2 and remained in operation until 2011. Since 2011, the building has remained vacant, despite receiving several inquiries for reuse.*

After discussion, the Commission voted unanimously to approve Ordinance No. 15-2013, to include the Conditions of Approval listed in the staff report and change the language on page 9, first bullet point, from “..individual residents” to “..area residents”, at first reading and to schedule second and final reading for November 18, 2013.

- C. **Ordinance No. 16-2013, amending Section 46-26, Definitions; amending Section 46-27, Participation – Conditions of Eligibility; amending Section 46-29, Finances and Fund Management; amending Section 46-34, Preretirement Death; and amending Section 46-43, Maximum Pension, at first reading.**

*This is a revised proposed ordinance amending the City of Deltona Firefighters' Pension Plan, which is recommended by the Board for adoption by the City Commission. This ordinance amends Section 46-26, Definitions to amend the definition of Credited Service, Section 46-29, Finances and Fund Management, and Section 46-43, Maximum Pension, to comply with recent changes to the Internal Revenue Code (IRC) relating to tax qualified pension plans such as the plan. These amendments clarify language required by the IRC and are mandatory amendments.*

After discussion, the Commission voted unanimously to approve Ordinance No. 16-2013 at first reading and to schedule second and final reading for November 18, 2013.

- D. **Resolution No. 2013-13, The 2012 Emergency Solutions Grant Award to assist in Homelessness Prevention.**

*In 2012, the City contacted agencies about homelessness assistance and attended meetings to become more active in the Continuum of Care network beyond the on-going Point-in-Time Count conducted by the Volusia/Flagler County Coalition for the Homeless (the Coalition). The City was given the opportunity to partner with the Coalition on the 2012 Emergency Solutions Grant (ESG) application for the specific subheading of homelessness prevention. While the City was awarded the grant in April 2013, the final draft of the Agreement was provided by the Florida Department of Children and Families (DCF) this month to process.*

Item was pulled from the agenda by the Acting City Manager.

**9. OLD BUSINESS:**

**10. NEW BUSINESS:**

- A. **Consideration of appointment of one (1) member to the Economic Development Advisory Board (Commissioner Nabicht's appointment).**

*Rob Field has resigned from his position, effective July 25, 2013. Mr. Field was appointed by Commissioner Nabicht.*

*Staff has run press releases, posted the opening on D-TV and the City's web page, and on bulletin boards throughout the City parks. To date the City has received applications from the following interested individuals: Raphael Gomez, Barnard Jones, Donald Mair, Maribel Montanez, Debbie Soto and Richard Williams.*

After discussion, the Commission voted unanimously to confirm the appointment of the following individual, Barnard Jones, for the remainder of the term to expire May 21, 2014.

**B. Consideration and approval of Vacant Land Contract for Sale of Property located at the corner of Saxon Boulevard and Finland Drive.**

*The contract is for the purchase of some city property that is generally located at the corner of Saxon Boulevard and Finland. It does not have road frontage and is generally a depression in the land that ends up receiving drainage from surrounding properties. A condition of the contract is that the owner mows it quarterly to the satisfaction of the city so that it can continue to function for drainage purposes. It was appraised for \$10,000, which is the amount of the purchase contract. It is anticipated that the property will be used with other surrounding land for a future RaceTrac. Once the property is developed, the development will be responsible for handling the drainage that currently flows into this property.*

After discussion, the Commission voted unanimously for the approval of the vacant land contract for sale of property located at the corner of Saxon Boulevard and Finland Drive.

- 11. CITY ATTORNEY COMMENTS:**
- 12. CITY MANAGER COMMENTS:**
- 13. CITY COMMISSION COMMENTS:**
- 14. ADJOURNMENT:**

**NOTE:** If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.